

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ALMONDNET, INC., and INTENT IQ, LLC,

Plaintiffs,

v.

AMAZON.COM, INC.; AMAZON.COM
SERVICES LLC; and AMAZON WEB
SERVICES, INC.,

Defendants.

Civil Action No. 6:22-cv-01204-ADA-DTG

JOINT STIPULATION OF DISMISSAL

Plaintiffs AlmondNet, Inc. and Intent IQ, LLC (“AlmondNet” or “Plaintiffs”) and Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. (“Amazon,” or “Defendants”) (collectively, “the parties”) respectfully submit this joint stipulation of dismissal the above-captioned case (“this Action”):

WHEREAS, AlmondNet filed a complaint against Amazon on August 27, 2021 in Civil Action No. 6:21-cv-00898-ADA (“*Amazon I*”), alleging infringement of various patents. On February 10, 2022, AlmondNet withdrew its assertions of infringement of various claims, including all claims of U.S. Patent Nos. 8,959,146, 8,775,249, and 7,979,307;

WHEREAS, AlmondNet filed its complaint in this Action on November 18, 2022, asserting infringement of U.S. Patent Nos. 7,747,745, 7,861,260, 8,204,783, and 10,715,878, as well as U.S. Patent Nos. 8,959,146, 8,775,249, and 7,979,307 which were originally asserted in *Amazon I*;

WHEREAS, on January 23, 2023, Amazon filed a motion to stay *Amazon I* pending completion of claim construction in this Action (“Motion to Stay”);

WHEREAS, in an effort to streamline and narrow the disputes between the parties, and to moot Amazon’s pending Motion to Stay in *Amazon I*, the parties have jointly agreed to dismiss AlmondNet’s claims in this Action;

THEREFORE, it is hereby STIPULATED and AGREED by and between the parties as follows:

1. This Action is dismissed with prejudice. Notwithstanding the foregoing, the dismissal does not affect, AlmondNet’s assertion of the remaining five patents asserted against Amazon in the *Amazon I* case (including with respect to issues such as claim preclusion, claim splitting, and the *Kessler* doctrine). Furthermore, at least because this stipulation is in an effort to streamline issues and moot Amazon’s pending Motion to Stay, this dismissal is not indicative of the value of any patent and shall not be relied on for calculation of damages in any action against Amazon or any other party.

2. The parties shall bear their own attorney’s fees and costs with respect to this Action.

Dated: April 26, 2023

Respectfully submitted,

By: /s/ Ravi R. Ranganath

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by first class mail.

/s/ James A. Milkey